

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0053
(916) 319-2053
FAX (916) 319-2153

DISTRICT OFFICE
500 CENTER STREET
EL SEGUNDO, CA 90245
(310) 615-3515
FAX (310) 615-3520

assemblymember.lieu@assembly.ca.gov

Assembly California Legislature



TED W. LIEU
FIFTY-THIRD ASSEMBLY DISTRICT
CHAIR, CALIFORNIA ASIAN PACIFIC ISLANDER LEGISLATIVE CAUCUS

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AEROSPACE, CHAIR

January 20, 2010

Secretary Matthew Cate
1515 S Street
Sacramento, CA 95814

Via Facsimile and Mail

Dear Secretary Cate:

It has been brought to my attention by law enforcement that the California Department of Corrections and Rehabilitation (CDCR) will release 25,000 state prisoners on January 25th. It is also my understanding that many of these convicted felons will not have any parole supervision or are being released early. Because the United States Supreme Court has not yet reviewed the Ninth Circuit's final order directing the early release of prisoners, I respectfully request that CDCR take the following actions.

1. Delay the early release of any state prisoner until the US Supreme Court has made a decision on the legality of the Ninth Circuit's order;
2. Bar prisoners who have committed or intended to commit crimes of violence—such as felony child abduction, unlawfully setting fire to an inhabited residence, and solicitation to commit murder—from being released early or without parole supervision;
3. Allow local law enforcement to object to the early release of a convicted felon, or the release of a felon without parole supervision;
4. Notify local law enforcement at least 60 days prior to releases of prisoners of critical information, such as the prisoner's name, address, criminal history, whether the felon will be on parole, whether there are any parole conditions, and any other relevant factors; and
5. Notify local law enforcement of any parolee who absconds, tampers with GPS or any other tracking device; undertakes any efforts to subvert the parole officers' ability to monitor the parolee; or have been given permission to relocate out of the community. Furthermore, every felon should be required to give identification to any law enforcement officer and acknowledge law enforcement's ability to perform search and seizure as if on supervised parole when contacted by local law enforcement.
6. Make public a list of the crimes committed by prisoners being released early or without parole supervision.

The above steps are reasonable, common sense actions that will mitigate the effects of releasing thousands of convicted felons early, without parole supervision, and without any rehabilitation services.

I also respectfully request that CDCR provide me with information relative to how it determines which prisoners will be released early; which prisoners will be released without with parole supervision; and what kind of risk analysis CDCR uses in reaching such decisions.

I would appreciate a response as soon as possible and no later than Monday morning, January 24th. Thank you for your urgent attention to this critical public safety matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted W. Lieu", with a long horizontal flourish extending to the right.

Ted W. Lieu

Chair, Joint Rules Committee, California State Legislature

cc: Governor Arnold Schwarzenegger